

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WILLIAM STEPHEN LUSH, II,

Plaintiff,

ORDER

v.

10-cv-63-slc

PORȚIA JONES and
THE INTERNAL REVENUE SERVICE,

Defendants.

WILLIAM STEPHEN LUSH, II,

Plaintiff,

ORDER

v.

10-cv-64-slc

Judge BELINDA HILL,
Defendant.

Plaintiff, William Lush a resident of Middleton, Wisconsin has filed two proposed civil actions. In both cases, plaintiff has asked for leave to proceed *in forma pauperis* and has supported his request with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

Plaintiff has no dependents. His monthly income is \$1,900 and in the past twelve months he has received \$3,000 in unemployment insurance, which makes his annual income \$25,800. Because plaintiff's income falls in the \$16,000 to \$32,000 range, he must prepay half, of the \$350 filing fee—that is, \$175—in each case.

ORDER

IT IS ORDERED that

1. plaintiff may have until March 5, 2010, in which to submit the \$175 prepayment of the \$350 fee for filing case no. 10-cv-63-slc. He is to submit a check or money order made payable to the clerk of court in the amount of \$175 on or before March 5, 2010.
2. plaintiff may have until March 5, 2010, in which to submit the \$175 prepayment of the \$350 fee for filing case no. 10-cv-64-slc. He is to submit a check or money order made payable to the clerk of court in the amount of \$175 on or before March 5, 2010.
3. If, by March 5, 2010, plaintiff fails to make the \$175 payment in either case or show cause for his failure to do so, the clerk of court is directed to enter judgment dismissing this case without prejudice for plaintiff's failure to prosecute it.

Entered this 12th day of February, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge